

FILED

MAY 28 2013

**Board of Vocational Nursing
and Psychiatric Technicians**

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8 **BEFORE THE**
BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. PT-2011-912

12 **CANDICE JEANETTE EVANS, AKA**
13 **CANDICE GEANETTE EVANS, AKA**
14 **CANDICE SALMON, AKA**
15 **CANDICE JEANETTE SALMON-EVANS,**
16 **AKA**
17 **CANDICE JEANETTE EVANS-SALMON**
18 1040 West Grande Avenue, Apt. 143
Porterville, California 93257

A C C U S A T I O N

Vocational Nurse License No. PT 34690

Respondent.

19
20 Teresa Bello-Jones, J.D., M.S.N., R.N. ("Complainant") alleges:

21 **PARTIES**

22 1. Complainant brings this Accusation solely in her official capacity as the Executive
23 Officer of the Board of the Board of Vocational Nursing and Psychiatric Technicians ("Board"),
24 Department of Consumer Affairs.

25 **Psychiatric Technician License**

26 2. On or about March 13, 2009, the Board issued Psychiatric Technician License
27 Number PT 34690 to Candice Jeanette Evans, also known as Candice Geanette Evans, Candice

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1 Salmon, Candice Jeanette Salmon-Evans, and Candice Jeanette Evans-Salmon ("Respondent").
2 The Vocational Nurse License expired on February 28, 2011, and has not been renewed.

3 **STATUTORY PROVISIONS**

4 3. Business and Professions Code ("Code") section 4520 provides, in pertinent part, that
5 the Board may discipline any licensed psychiatric technician for any reason provided in Article 3
6 (commencing with section 4520) of the Psychiatric Technicians Law (Code section 4500, et.
7 seq.).

8 4. Code section 118, subdivision (b), provides, in pertinent part, that the expiration of a
9 license shall not deprive the Board jurisdiction to proceed with a disciplinary action during the
10 period within which the license may be renewed, restored, reissued, or reinstated. Under Code
11 section 4545, the Board may renew an expired license at any time within four years after the
12 expiration.

13 5. Code section 4521 provides, in pertinent part, that:

14 The board may suspend or revoke a license issued under this chapter for any of
15 the following reasons:

16 (a) Unprofessional conduct, which includes, but is not limited to, any of the
17 following:

18 (4) Obtain or possess in violation of law, or prescribe, or, except as directed by
19 a licensed physician and surgeon, dentist, or podiatrist, administer to himself or
20 herself or furnish or administer to another, any controlled substance as defined in
21 Division 10 (commencing with Section 11000) of the Health and Safety Code or any
22 dangerous drug as defined in Section 4022.

23 6. Code section 4060 states, in pertinent part:

24 No person shall possess any controlled substance, except that furnished to a
25 person upon the prescription of a physician, dentist, podiatrist, optometrist,
26 veterinarian, or naturopathic doctor pursuant to Section 3640.7, or furnished pursuant
27 to a drug order issued by a certified nurse-midwife pursuant to Section 2746.51, a
28 nurse practitioner pursuant to Section 2836.1, a physician assistant pursuant to
Section 3502.1, a naturopathic doctor pursuant to Section 3640.5, or a pharmacist
pursuant to either Section 4052.1 or 4052.2.

7. Health and Safety Code section 11170 states that no person shall prescribe,
administer, or furnish a controlled substance for himself.

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COST RECOVERY

8. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

DRUG

9. "Amphetamine" is a Schedule II controlled substance as designated by Health and Safety Code section 11055, subdivision (d)(1), and a dangerous drug as designated by Code section 4022.

10. "Methamphetamine" is a Schedule II controlled substance as designated by Health and Safety Code section 11055, subdivision (d)(2), and a dangerous drug as designated by Code section 4022.

CAUSE FOR DISCIPLINE

(Possession of a Controlled Substance in Violation of Law; Self-Administration)

11. Respondent is subject to discipline under Code section 4521, subdivision (a)(4), in that Respondent committed the following acts:

- a. On or about August 15, 2011, Respondent self-administered amphetamine and methamphetamine, controlled substances, in violation of Health and Safety Code section 11170.
- b. On or about August 15, 2011, Respondent possessed amphetamine and methamphetamine, controlled substances, in violation of Code section 4060.

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PRAYER

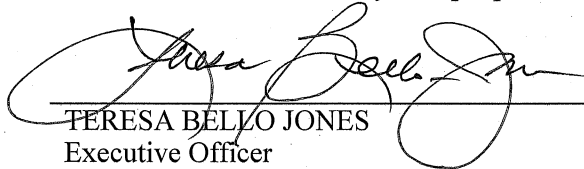
WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Vocational Nursing and Psychiatric Technicians issue a decision:

1. Revoking or suspending Psychiatric Technician License No. PT 34690, issued to Candice Jeanette Evans, also known as Candice Geanette Evans, Candice Salmon, Candice Jeanette Salmon-Evans, and Candice Jeanette Evans-Salmon;

2. Ordering Candice Jeanette Evans, also known as Candice Geanette Evans, Candice Salmon, Candice Jeanette Salmon-Evans, and Candice Jeanette Evans-Salmon, to pay the Board of Vocational Nursing and Psychiatric Technicians the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

3. Taking such other and further action as deemed necessary and proper.

DATED: May 28, 2013


TERESA BELLO JONES
Executive Officer
Board of Vocational Nursing and Psychiatric Technicians
State of California
Complainant

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